

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KENNETH ENG,

Plaintiff,

-against-

SHAWN TREADWELL, et al.,

Defendants.

14-CV-9256 (LAP)

ORDER OF DISMISSAL

LORETTA A. PRESKA, Chief United States District Judge:

By order dated January 22, 2015, the Court directed Plaintiff, within thirty days, to submit a completed and signed request to proceed *in forma pauperis* (“IFP application”) or pay the \$400.00 in fees required to file a civil action in this Court. That order specified that failure to comply would result in dismissal of this action. Plaintiff has not filed an IFP application or paid the fees. Accordingly, the Court grants Plaintiff IFP status for the limited purpose of dismissing this action without prejudice. The Court dismisses this action without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to comply with the Court’s order.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: March 2, 2015
New York, New York


LORETTA A. PRESKA
Chief United States District Judge